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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,481	10/15/2003	Yasuhiro Yuasa	YUAS3001/EM	3505

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EXAMINER	
PHAM, MINH CHAU THI	
ART UNIT	**PAPER NUMBER**
1724	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

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Office Action Summary	**Application No.** 10/684,481	**Applicant(s)** YUASA ET AL.
	Examiner Minh-Chau T. Pham	**Art Unit** 1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 02 November 2006.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) 1-20 is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a)☐ All b)☐ Some * c)☐ None of:
1.☐ Certified copies of the priority documents have been received.
2.☐ Certified copies of the priority documents have been received in Application No. _____.
3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-4, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Genovese et al (5,240,484) or the Japanese Patent (JP 5091962), in view of Himukai (4,545,794).

Genovese et al disclose a vacuum cleaner comprising an electric blower (21) for generating suction air, a collecting unit (13) for collecting dust contained in the suction air (col. 7, lines 4-17), and a dust removing unit (47) for removing dust adhered to the collecting unit (col. 8, lines 25-40). It is inherently understood that the dust removing unit (47) is operating with the blower and the dust removing unit would stop when the operation of the dust removing unit or blower stops by a user. Genovese et al further teach the dust removing unit (47) being a vibrating means such as an oscillator tube (see col. 7, lines 46-49 and col. 8, lines 25-41).

The Japanese reference discloses a vacuum cleaner comprising an electric blower for generating suction air, a collecting unit (12) for collecting dust contained in the suction air, and a dust removing unit (13) being a vibrating means operated by a controller (17) to remove dust adhered to the collecting unit (12). It is inherently understood that the dust removing unit (13) is operating via a controller (17) and the dust removing unit (13) would stop when the controller (17) of the dust removing unit (13) is stopped by a user.

Claims 1-4, 19 and 20 differ from the disclosure of either Genovese et al or the Japanese reference in that a dust removing stop unit distinct from a power off switch. Himukai discloses a vacuum cleaner having a dust removing unit wherein the lid (10) is hingedly attached to the dust removing unit (5) (see col. 2, lines 48-50), and a control push button (18) located at the upper end of the dust case and pushing the button allows opening and closing of the lid for dust removing/dumping procedure (col. 2, lines 58-62). Himukai also discloses a power on/off switch button (4) located on the top of the vacuum cleaner (see 4 and 18 in Fig. 1). Figure 1 clearly shows the dust removing stop unit button (18) distinct from a power off switch button (4). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to adopt the dust removing unit switch button and the power switch button to be separate from each other so that the vacuum cleaner would be operated in a more effective way wherein each function does not interfere with the other.

Claims 5-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Genovese et al (5,240,484) or the Japanese Patent (JP 5091962), in view of Himukai (4,545,794) and further in view of Valbona et al (3,667,084).

Claims 5-16 call for an input detection unit for detecting an input to the device. Valbona et al disclose a switch (66) with a warning light (68) in circuit with the motor for detecting an input to the device such as power surge, warning of high temperature, etc. (col. 3, lines 6-29). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a detection unit as taught by Valbona et al in the vacuum cleaner of either Genovese et al or the Japanese reference or

Himukai since the detection unit would effectively warn the user of any potential problem with the controller of the device.

Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Genovese et al (5,240,484) or the Japanese Patent (JP 5091962), in view of Himukai (4,545,794), further in view of Valbona et al (3,667,084), and further in view of Tai (6,228,155 B1).

Claims 17 and 18 call for the indication unit including a sound generating unit. Tai discloses an automatic detection and warning device of the filtering apparatus (col. 2, lines 52-67) wherein the detection unit generates a warning voice, light and speech signals (see col. 3, lines 31-36). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a sound signal as taught by Tai for the detection unit in the vacuum cleaner of either Genovese et al or the Japanese reference since the sound signal would effectively catch the attention of the user on potential problem of the device.

Response to Amendment

Applicant's arguments filed on November 2, 2006 have been fully considered but they are not persuasive.

Applicant argues that none of the cited references discloses "a dust removing stop unit distinct from a power off switch", as amended. The Examiner maintains Genovese et al (5,240,484) or the Japanese Patent (JP 5091962) as the primary reference under the 103 (a) rejection to show: Genovese et al disclose a vacuum cleaner comprising an electric blower (21) for generating suction air, a collecting unit

(13) for collecting dust contained in the suction air (col. 7, lines 4-17), and a dust removing unit (47) for removing dust adhered to the collecting unit (col. 8, lines 25-40). It is inherently understood that the dust removing unit (47) is operating with the blower and the dust removing unit would stop when the operation of the dust removing unit or blower stops by a user. Genovese et al further teach the dust removing unit (47) being a vibrating means such as an oscillator tube (see col. 7, lines 46-49 and col. 8, lines 25-41). The Japanese reference discloses a vacuum cleaner comprising an electric blower for generating suction air, a collecting unit (12) for collecting dust contained in the suction air, and a dust removing unit (13) being a vibrating means operated by a controller (17) to remove dust adhered to the collecting unit (12). It is inherently understood that the dust removing unit (13) is operating via a controller (17) and the dust removing unit (13) would stop when the controller (17) of the dust removing unit (13) is stopped by a user. Claims 1-4, 19 and 20 differ from the disclosure of either Genovese et al or the Japanese reference in that a dust removing stop unit distinct from a power off switch. The Examiner newly introduces Himukai (4,545,794) as the secondary reference in combination with Genovese et al or the Japanese reference to show a vacuum cleaner having a dust removing unit wherein the lid (10) is hingedly attached to the dust removing unit (5) (see col. 2, lines 48-50), and a control push button (18) located at the upper end of the dust case and pushing the button allows opening and closing of the lid for dust removing/dumping procedure (col. 2, lines 58-62). Himukai also discloses a power on/off switch button (4) located on the top of the vacuum cleaner (see 4 and 18 in Fig. 1), as claimed. Figure 1 clearly shows the dust

removing stop unit button (18) distinct from a power off switch button (4), as claimed. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to adopt the dust removing unit switch button and the power switch button to be separate from each other so that the vacuum cleaner would be operated in a more effective way wherein each function does not interfere with the other.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Minh-Chau Pham
Patent Examiner
Art Unit: 1724
January 19, 2007